

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PAUL THOMAS, #182955,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:05-cv-196-F
)	
SGT. ELLINGTON, et al.,)	
)	
Defendants.)	

ORDER

On October 14, 2005, the Magistrate Judge filed a Recommendation (Doc. #43) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED as follows:

1. That the plaintiff's motion to dismiss is GRANTED;
2. That this case is DISMISSED without prejudice; and
3. That no costs be taxed herein.

Done this the 14th day of November, 2005.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE